



City Council Regular Meeting Agenda 12/20/05

Call to Order

- Pledge of Allegiance
- Invocation
- Welcome Guests and Visitors

Review and Approval of Minutes

1. November 9, 2005 Pre-agenda Meeting
2. November 15, 2005 Regular City Council Meeting

Public Concerns and Commendations

At this time, citizens are invited to address the City Council. **Speakers must sign up to speak prior to meeting;** when the Mayor calls your name, please step to the lectern and state your name and address for the record; remarks are limited to 3 minutes/speaker; speakers are encouraged to select a spokesperson if several people plan to make similar points. *(Policy adopted 2/17/04)*

Recognition

3. Recognition of outgoing Mayor James D. Shore (City Manager Ann Bailie)

Organizational Business

4. Administration of oath of office to elected Mayor Frances “Fran” Andrews (Lois Bohnsack, Notary; Marvin K. Andrews)
5. Administration of oaths of office to reelected council members Karen Bridges, Barbara Ewings, Barry Lambeth and Edith Reddick
6. Election of Mayor Pro Tempore

Public Hearings

7. Preliminary Assessment Resolution pertaining to proposed street improvements on Cold Brook Ct.
8. Rezoning Request # Z05-06 to rezone Lots 11-19 Grove St. from R-40 (Residential) to M1 (Heavy Manufacturing).

Unfinished Business

None

New Business

9. 2006 Meetings Schedule

10. DOT ordinances reducing speed on Unity St. from 55 mph to 45 mph from NC Hwy. 62 to City Limits (north of Colonial Club Dr.).
11. Deadline for Darr Rd. discounted tap payments (undeveloped property)
12. Detention Pond Operations and Maintenance Manual
13. Amendments to Sewer Use Ordinance
 - A. Affirm commitment to adhere to Davidson Water's policies for metering water
 - B. Consider adoption of outside-City-limits sewer rates
 - C. Consider adoption of outside-City-limits capacity fees
14. Appointments to Planning and Zoning board
 - A. Ward 1
 - B. Ward 3
 - C. Ward 4
15. Appointments
 - Regional organizations
 - A. Metropolitan Planning Organization (MPO) Technical Advisory Committee (TAC) (one appointment; one alternate appointment)
 - B. Metropolitan Planning Organization (MPO) Technical Coordinating Committee (TCC) (one staff appointment)
 - C. Delegate to Piedmont Triad Council of Governments
 - Committees of Council (Mayor Andrews)
 - A. Budget and Finance
 - B. Personnel
 - Council Liaisons to City Boards (Mayor Andrews)
 - A. Planning and Zoning
 - B. Utilities

Business and Closing Comments from Mayor and Council

Business from City Manager

Adjournment

***Public Hearings**

Order of Business

1. Mayor opens public hearing
2. Mayor recognizes appropriate staff personnel for presentation
3. Mayor calls for those wishing to speak in favor of the request
 - Time Limit: 3 minutes per person
 - Mayor may grant an exception to the time limit for the individual who is making the request or his/her designee.
 - Speakers are encouraged to select a spokesperson if there are several people planning to make similar points
4. Mayor calls for those wishing to speak in opposition of the request
 - Time Limit: 3 minutes per person
 - Speakers are encouraged to select a spokesperson if there are several people planning to make similar points
 - Mayor may grant an exception to the time limit for a designated spokesman for the opposition
5. Mayor calls for staff recommendation
6. Mayor closes public hearing
7. Mayor calls for discussion of City Council
8. Mayor calls for vote on the issue

CITY OF TRINITY

Upcoming Meetings and Community Events

All meetings are open to the public - residents are invited and encouraged to attend

Planning & Zoning Board

Meets fourth Tuesday of each month at 7:00 p.m.

December meeting is canceled. Next meeting: Tuesday, January 24, 2005 at 7:00 p.m. at Trinity City Hall

Utilities Committee

Meets first Tuesday of each month at 7:00 p.m. at Trinity City Hall.

January meeting is canceled. Next meeting: Tuesday, February 7, 2005 at 7:00 p.m. at Trinity City Hall

City Council

Meets third Tuesday of each month at 7:00 p.m. at Trinity Memorial United Methodist Church.

Next meeting: Tuesday, January 17, 2005 @ 7:00 p.m.

Pre-agenda meetings are held at City Hall. (No public comment period).

Next meeting: Tuesday January 10, 2005 @ 4:00 p.m.

Save a Stamp...

... and pay your Time Warner cable bills at the Chamber of Commerce office on Balfour St. in Archdale. The Chamber receives a fee for every transaction!



**City Council
Regular Meeting
Tuesday, December 20 2005
7:00 P.M.**

The regularly scheduled meeting of the Trinity City Council was held on Tuesday, December 20, 2005 at the Trinity Memorial United Methodist Church.

MEMBERS PRESENT: Mayor Jimmy Shore, Mayor-Elect Frances Andrews, Council members Karen Bridges, Phil Brown, Barbara Ewings, Bob Labonte, Barry Lambeth, Dwight Meredith, Edith Reddick, and Miles Talbert.

MEMBERS ABSENT: None

OTHERS PRESENT: City Manager Ann Bailie; City Attorney, Bob Wilhoit; City Clerk/FO, Debbie Hinson; City Planning/Zoning Administrator Adam Stumb; City Engineer Randy McNeill; Members of the Press; and other interested parties.

ITEM 1. CALL TO ORDER

Mayor Shore called the December 20, 2005 Regular Meeting of the Trinity City Council to order at 7:00 pm.

Pledge of Allegiance

Mr. James Ewings led the Pledge of Allegiance.

Invocation

The invocation was given by Council member Lambeth.

Welcome Guest and Visitors

Mayor Shore welcomed and thanked all persons in attendance and for their interest in the City.

ITEM 2. REVIEW AND APPROVAL OF MINUTES

1. November 09, 2005 Pre-Agenda Meeting

Mayor Shore called for corrections, additions, or deletions to the November 09, 2005 Pre-Agenda Meeting.

Motion by Council member Bridges to approve as written, seconded by Council member Talbert and approved unanimously by all Council members present.

2. November 15, 2005 Regular City Council Meeting

Mayor Shore called for corrections, additions, or deletions to the November 15, 2005 Regular Minutes.

Motion by Council member Meredith to approve as written, seconded by Council member Ewings, and approved unanimously by all Council members present.

Public Concerns and Commendations

NONE

Recognition

ITEM 3. RECOGNITION OF OUTGOING MAYOR JAMES D. SHORE (CITY MANAGER ANN BAILIE)

After opening this item, Mayor Shore spoke to the audience prior to turning this item over to Manager Bailie. Mayor Shore extended a personal and individual thank you to Staff Members Adam Stumb, and Debbie Hinson, Manager Bailie, City Attorney, Bob Wilhoit, City Engineer, Randy McNeill, and all City Council members for their dedication and work done on behalf of the City as well as some personal expressions concerning the long time friendships that had experienced with many of the Council members.

After Mayor Shore's comments, Manager Bailie recognized Mayor Shore on behalf of City Staff, City Residents, and City Council members for his service over the past 8 years from 1997 to 2006 as a Council member, Mayor Pro-Tempore, and Mayor. During his years as Mayor he guided the city through times of turbulence as well as peace. One of his greatest accomplishments was securing the initial agreement with the City of Thomasville for wastewater treatment that allowed the city to begin providing sewer service to its residents and help make possible the successful passage of the 2004 sewer referendum which will help bring this service to nearly one half of the city's current residents within the next decade. In addition to his many responsibilities as Mayor, he never passed up a fund raising opportunity. Because he has lived in Trinity his entire life he regularly draws on his many friends and the contacts he has made over the years to support a variety of charitable events. He has worked with the Make a Wish Foundation and Kyle Petty Charity Ride. In the late 90's he spearheaded an effort to raise funds for injured bull rider Jerome Davis. He organized a fundraiser to help purchase championship rings for the Trinity Senior High School Boys Basketball Team when they won the State Championship. More recently Mayor Shore has joined efforts to raise money to assist local children; Trinity Lohr and Justin Bullard.

Manager Bailie read and presented Mayor Shore with a Plaque of Appreciation for his service to the City of Trinity.

Organizational Business

Mayor Shore opened this item and advised those present that after Mayor Elect Andrews was sworn in there would be a short 5 minute break.

ITEM 4. ADMINISTRATION OF OATH OF OFFICE TO ELECTED MAYOR FRANCES "FRAN" ANDREWS (LOIS BOHNSACK, NOTARY; MARVIN K. ANDREWS)

Prior to administering the Oath of Office to Ms. Andrews, Lois Bohnsack discussed how she became acquainted with Ms. Andrews and expressed her delight to see Ms. Andrews step into this leadership role. Ms. Bohnsack administered the Oath of Office to MS. Frances Andrews. The Bible used for the affirmation of Mayor Andrews Oath of Office was held by her husband Marvin K. Andrews.

After Mayor Andrews received the Oath of Office, Mayor Shore wished her the best of luck and called for a 5 minute recess at which time the seat of Mayor would change.

ITEM 5. ADMINISTRATION OF OATHS OF OFFICE TO REELECTED COUNCIL MEMBERS KAREN BRIDGES, BARBARA EWINGS, BARRY LAMBETH AND EDITH REDDICK

After a 5 minute recess, the Mayor's position was assumed by Mayor Fran Andrews. Mayor Andrews administered the Oath of Office to Council members Barry Lambeth, Barbara Ewings, and Karen Bridges.

Council member Reddick was administered the Oath of Office by her sister Dorothy Russell, Notary for the State of North Carolina.

ITEM 6. ELECTION OF MAYOR PRO TEMPORE

Mayor Andrews opened this item to Council for discussion and or action by nomination.

Council member Brown nominated Council member Barry Lambeth for the office of Mayor Pro Tempore, seconded by Council member Ewings. The nomination was approved unanimously to elect Council member Lambeth to the office of Mayor Pro Tempore by all Council members present.

PUBLIC HEARINGS

ITEM 7. PRELIMINARY ASSESSMENT RESOLUTION PERTAINING TO PROPOSED STREET IMPROVEMENTS ON COLD BROOK CT.

Mayor Andrews opened this item and asked Manager Bailie to review the process prior to the Public Hearing.

Manager Bailie discussed the petition presented to the City that had been certified by the City Clerk. At the November Council Meeting the City Council passed a Preliminary Assessment Resolution. This Resolution provided the following items:

1. Council made the decision that 50% percent of the cost be assessed to the residents of Cold Brook Court.
2. Council determined that the basis for this assessment would be based on a per lot basis to include the 7 lots located on this road.
3. Council determined there would be 10 annual installments to the residents of this road.
4. Council determined the interest rate for these costs would be set at 8 percent (%) to the residents.

Manager Bailie discussed the Public Hearing that was being held directly after her comments. This hearing is to allow anyone to speak about the proposed Resolution and Project. At the conclusion of the Public Hearing if it is Council's desire, they will pass a Resolution to undertake the project.

Mayor Andrews reviewed the procedures of the Public Hearings and opened the Public Hearing for those who wished to speak for the request.

Speaking For the Request

Bobby Campbell, 4413 Cold Brook Ct; Mr. Campbell thanked Council for taking this project into consideration. I have lived here 20 years and have tried to get some kind of public maintenance on this road for 19 of those 20 years. It is really gratifying that the City is willing to take this on. I would like to ask that Council adopt this Resolution as it was presented to them on November 15, 2006.

Mitch Stout 4452 Cold Brook Ct; Mr. Stout stated that it was his hope that Council did pass the assessment. He discussed earlier conversation concerning the 10 Annual installments being included into the property tax for the residents. This is something that can be done and I would like for Council to keep this in mind as you consider this and go through the process.

With no others speaking for the request, Mayor Andrews opened the Public Hearing to anyone who wished to speak against the request.

Speaking Against the Request

Harold Murphy- owner of Lot 30 in Coldbrook Ct; Mr. Murphy discussed the fact that his lot would not perk and that he was not interested in having this project done. Mr. Murphy discussed the pavement of this road when the subdivision originated, however it has never been maintained by anyone. Mr. Murphy advised Council that he could not afford to be assessed since his only income was Social Security.

With no others speaking, Mayor Andrews closed the Public Hearing and opened the item for discussion and or action to Council members.

With no discussion, Mayor Andrews called for a motion on this item.

Motion by Council member Labonte to table this item until the next Regular Meeting to be held in January to give Council more time to consider the way payments were structured concerning comments made by Mr. Murphy. Council member Talbert seconded the motion.

Prior to the vote there was further discussion between Council members, City Engineer, Randy McNeill, Mr. Murphy, and other residents from the Cold Brook Ct. area concerning when the road was built, whether or not Mr. Murphy actually lived in this subdivision or if his property was vacant, how the original petition filed with NC DOT to assume maintenance responsibility may have been denied because there was not 4 homes located on this street at that time. The last time that NC DOT was approached about assuming maintenance for this area, the residents of this area were

advised that they must pay to have the road paved to state standards prior to assuming maintenance. Mr. McNeill discussed how the road was privately owned by the developer since it was a short street with not enough homes for NC DOT to assume maintenance and after the City incorporated NC DOT would not take over any other street maintenance on streets located inside the city limits.

With no further discussion, Mayor Andrews called for the vote.

The motion and second were approved 7 to 1 with Council member Bridges voting Nay.

ITEM 8. Rezoning Request # Z05-06 to rezone Lots 11-19 Grove St. from R-40 (Residential) to M1 (Heavy Manufacturing).

Mayor Andrews opened this item and called on Mr. Stumb, Planning Administrator to brief Council on this item.

Mr. Stumb used a PowerPoint presentation to discuss the request and projected a map to Council and the audience that showed the location of the area and lots where the rezoning was being requested. The current zoning for this property is R-40(Residential 40). The proposed zoning is M-1 or Heavy Industrial. The current long range plan calls for medium density residential for this neighborhood. This property is currently vacant. The properties directly adjoining this property is vacant but as you progress to areas affected by this property most are residential. Mr. Stumb reviewed the permitted uses on this property if this property were rezoned as well as what would be allowed under SU with this zoning. Mr. Stumb advised Council there is currently an existing junk yard south of this property.

Mr. Stumb advised Council that he received a petition on Monday but that the petition did not qualify as a protest petition since it was not presented to the city in time to qualify or meet the specifications needed for a Protest Petition.

Mayor Andrews opened the Public Hearing to anyone who wished to speak in favor of this request.

James Baker, property owner; Mr. Baker stated that he would like to ask that Mr. Talbert exclude himself from this vote since he made his opinion apparent at the Planning/Zoning Hearing. Mr. Baker discussed the comments of opposition made during the Planning Board review regarding children riding bikes on the entrance road to this property.

At this time Mr. Baker advised Council that the \$300.00 he had paid for his rezoning request needed to be put toward purchasing a sliding board or swing sets for the Community Park and that he would like to withdraw his request at this time.

Because Mr. Baker withdrew his request which ended any further discussion or vote by Council. Mayor Andrews continued with the next Agenda items/

Unfinished Business
NONE

New Business

ITEM 9. 2006 Meetings Schedule

Mayor Andrews opened this item and called for a motion to accept the 2006 Meetings Schedule.

Motion by Council member Bridges to accept the 2006 Meetings Schedule as presented, seconded by Council member Ewings, and approved unanimously.

ITEM 10. DOT ORDINANCES REDUCING SPEED ON UNITY ST. FROM 55 MPH TO 45 MPH FROM NC HWY. 62 TO CITY LIMITS (NORTH OF COLONIAL CLUB DR.).

Mayor Andrews opened this item for discussion and or action to Council members.

Council member Bridges made a motion to adopt the Ordinance Reducing Speed On Unity St. From 55 MPH TO 45 MPH From NC Hwy. 62 To City Limits (North Of Colonial Club Dr.), seconded by Council member Talbert and approved unanimously by all Council members present

ITEM 11. DEADLINE FOR DARR RD. DISCOUNTED TAP PAYMENTS (UNDEVELOPED PROPERTY)

Mayor Andrews opened this item to Council for discussion and or action.

After a brief discussion concerning explanations given at the Pre-Agenda Meeting, *Council member Lambeth made a motion to adopt the February 1, 2006 deadline for Darr Road discounted tap payments (undeveloped property), seconded by Council member Ewings and approved unanimously by all Council members present.*

ITEM 12. DETENTION POND OPERATIONS AND MAINTENANCE MANUAL

Mayor Andrews opened this item and called for discussion and or action.

Council member Labonte asked who would own the property where the detention ponds would be located. Mr. Stumb advised Council the property would be owned by the Homeowners Association for the pond in the Colonial Village subdivision of single family residents. Manager Bailie advised Council that the owner of the Multi-Family project in this development will own the larger detention pond.

There was discussion between Mr. Stumb and Council member Labonte concerning problems that currently exist in the Steeplegate Subdivision regarding property that abuts or backs up to the property lines of the pond. Mr. Stumb advised Council members that this subdivision has been designed to ensure that enough property has been left for these ponds to keep this problem from occurring.

After further discussion, *Council member Bridges made a motion to approve the Detention Pond Operations and Maintenance Manual as written, seconded by Council member Ewings, and approved unanimously by all Council members present.*

ITEM 13. AMENDMENTS TO SEWER USE ORDINANCE

Mayor Andrews opened this item and advised Council members that these items needed to be considered separately. Mayor Andrews proceeded with each item as listed in order.

A. Affirm commitment to adhere to Davidson Water's policies for metering water.

Manager Bailie advised Council this commitment, if approved, will be inserted into the Sewer Use Ordinance. The addition will be the statement that the City of Trinity will use the same policy as used by Davidson Water for Multi-Family dwellings which is one (1) meter per unit.

Motion by Council member Meredith to amend the Sewer Use Ordinance as proposed, seconded by Council member Brown and approved unanimously by all Council members present.

B. Consider adoption of outside-City-limits sewer rates.

Manager Bailie advised Council this proposal is to establish sewer rates for persons living outside the city limits that would like to connect to the city sewer system. The rate proposed is double (200%) the rate of the inside residents rate.

Motion by Council member Brown to adopt the "Outside" Sewer rates at (200%) of the "Inside" rate as proposed, seconded by Council member Talbert and approved unanimously.

C. Consider adoption of outside-City-limits capacity fees.

Manager Bailie advised Council this proposal is to establish capacity fees for persons living outside the city limits. The rate proposed is double (200%) of the inside residents rate.

Motion by Council member Ewings to adopt and set "Outside" capacity fees at 200% of the "Inside" fees as proposed, seconded by Council member Talbert and approved unanimously by all council members present.

ITEM 14. Appointments to Planning and Zoning Board

A. Ward 1

Mayor Andrews opened this item and called for nominations for Ward 1.

Council member Meredith nominated James Ewings. The nomination was seconded by Council member Barbara Ewings.

With no other nominations or discussion, Mayor Andrews closed the nominations and called for a vote.

The vote to appoint James Ewings as a Ward 1 Representative to Planning/Zoning and Board of Adjustments was approved 6-2 with Council members Reddick and Bridges voting Nay.

B. Ward 3

Mayor Andrews opened this item and called for nominations for Ward 3.

Council member Labonte nominated Scott Norman. The nomination was seconded by Council member Talbert.

Council member Bridges nominated Richard McNabb. The nomination was seconded by Council member Reddick.

With no other nominations Mayor Andrews closed the nominations and called for a vote for nominee Scott Norman.

The vote to appoint Scott Norman as a Ward 3 Representative was as 6 to 2 with Council member Bridges and Reddick voting Nay.

After the vote for Mr. Norman, Mayor Andrews called for a vote on the nominee Richard McNabb.

The vote to appoint Richard McNabb as a Ward 3 Representative was 2 to 6 with Council members Bridges and Reddick voting Aye.

After the vote, Mayor Andrews announced Scott Norman as the Ward 3 Representative for Planning/Zoning and Board of Adjustments was approved by the vote of Council.

C. Ward 4

Mayor Andrews opened this item and called for nominations for Ward 4.

Council member Talbert nominated Melvin Patterson. The nomination was seconded by Council member Reddick.

With no other nominations or discussion, Mayor Andrews closed the nominations and called for a vote.

The vote to approve Melvin Patterson as the Ward 4 Representative for Planning/Zoning and Board of Adjustments was approved unanimously.

ITEM 15. Appointments

Mayor Andrews opened this item and advised Council that appointments were needed to the following organizations.

Regional Organizations

A. Metropolitan Planning Organization (MPO) Technical Advisory

Motion by Council member Bridges to appoint Mayor Andrews as the (MPO) Technical Advisory, seconded by Council member Reddick and approved 7 to 1 with Council member Meredith abstaining from the vote.

Council member Meredith nominated Council member Lambeth as the alternate representative for the City of Trinity for this organization, seconded by Council member Ewings, and approved unanimously by all Council members.

B. Metropolitan Planning Organization (MPO) Technical Coordinating Committee (TCC) (one staff appointment) Ann Bailie

After a brief discussion among Mayor Andrews and Council, it was the consensus of Council that Manager Bailie remain the city representative to the TCC Organization.

C. Delegate to Piedmont Triad Council of Governments

Manager Bailie advised Council members the representative to this organization was historically the Mayor.

Council member Bridges nominated Mayor Andrews to this position, seconded by Council member Talbert and approved unanimously by all Council members present.

Committees of Council (Mayor Andrews)

A. Budget and Finance

Mayor Andrews appointed the following persons to the Budget and Finance Committee

Council member Karen Bridges- Chairman
Council member Edith Reddick
Council member Miles Talbert

B. Personnel

Mayor Andrews appointed the following persons to the Personnel Committee

Council member Barry Lambeth- Chairman
Council member Edith Reddick
Council member Barbara Ewings

Council Liaisons to City Boards (Mayor Andrews)

A. Planning and Zoning

Mayor Andrews appointed the following persons as Council Liaisons to the Planning/Zoning Board.

Council member Phil Brown
Council member Karen Bridges (alternate)

B. Utilities

Mayor Andrews appointed the following persons as Council Liaisons to the Utilities Committee.

Council member Barry Lambeth

Business and Closing Comments from Mayor and Council

Mayor Andrews advised Council members that she was very excited and hoped to be able to do a good job for the residents of the City of Trinity. I know I will get the support of City Council and City Hall staff. I am looking forward to working for the residents of Trinity with the City Council and City Staff. Mayor Andrews wished all persons Happy Holidays and a Happy New Year.

Council members Talbert and Ewings wished everyone Merry Christmas and Happy New Year.

Council member Bob Labonte thanked the audience for their concern and attendance at this meeting. He stressed the importance of citizen involvement. He advised the citizens that their involvement and interest as well as attendance would aid the Council in their decisions concerning the City of Trinity. The City Council is here to serve the people.

Council member Lambeth discussed the willingness of the Church to allow the City of Trinity to use their facility for their meetings and asked Council for their feelings concerning a contribution to the church for the use of their facilities.

Council member Lambeth stated that he would like to make a motion to make a contribution to the church for their facilities and asked that Council members determine the amount of the contribution. Council member Ewings seconded the motion to make a contribution to the church for the use of their facilities. After discussion among Council members, Council member Talbert made the suggestion of a \$1,000.00 contribution.

With no further discussion, the City Council for the City of Trinity through motion by Council member Lambeth, second by Council member Ewings unanimously voted to contribute \$1,000.00 to the Trinity Memorial United Methodist Church for the use of their facilities by the City of Trinity for various meetings.

Business from City Manager

Manager Bailie welcomed Mayor Andrews to her new role.

Manager Bailie advised Council members that the Annual Retreat had been scheduled for Saturday, January 14, 2005. Breakfast will start at 8:00 with the meeting beginning at 8:30 am. Manager Bailie reviewed the tentative agenda for the Retreat. After the review she asked Council for comments and suggestions for Council for changes or additions.

Adjournment

With no further discussion, Mayor Andrews called for a motion to adjourn the December 20, 2005 Regular Meeting of the Trinity City Council.

Motion to adjourn by Council member Ewings, seconded by Council member Talbert and approved unanimously by all Council members present.

These minutes were approved as written by the Trinity City Council at their January 17, 2006 Regular City Council Meeting upon motion by Council member Ewings, seconded by Council member Talbert, and approved unanimously by all Council members present.